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From: Siegel, Steve
Sent: Wed 1/13/2016 5:15:02 PM
Subject: GM Bankruptcy Funds
[removed.txt](#)
[2011-03-08 Nawaday E-Mail re GM BR Funds.pdf](#)
[2011-03-04 Notice of Lodging of Settlement.pdf](#)

Joan and Jim –

Again, thank you for taking time to meet with Jennifer, Jim and me yesterday. The information you and your team provided was very helpful in understanding the potential issues that exist, and, more importantly, the possible solutions to at least some of those issues.

Attached is the e-mail I mentioned yesterday. It was from Jaimie Nawaday at DOJ to, among others, a number of counsel who had engaged DOJ to determine how the bankruptcy funds coming from GM would be used. These counsel represented PRP groups at a number of non-GM owned sites around the county. John Persiani from my Firm was copied on the e-mail, as were other counsel representing PRP group members at either Tremont or Valleycrest.

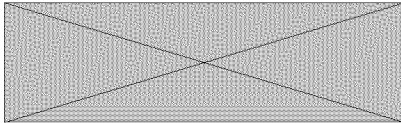
Based on the discussions that had taken place prior to this e-mail, and as embodied in this e-mail, funds that were obtained by EPA in its settlement with GM, which amounts were determined by analyzing the proofs of claim that were filed for individual sites by the PRP groups, were to be deposited in trust fund accounts and were to be used "to fund site work currently being conducted or to be conducted in the future by the PRPs." Both Tremont and Valleycrest were awarded funds, as memorialized in the attached Notice of Lodging of Settlement filed on March 4, 2011. As I mentioned yesterday, GM disposed of approximately 65% of the volume of waste disposed at Tremont, based on actual waste-in records that were maintained at Tremont. While similar records were not kept at Valleycrest, GM's approximately volume of waste disposed at Valleycrest was 50% of the total volume disposed at Valleycrest, based on GM's own records and those of the hauling company.

Speaking on behalf of the Valleycrest Landfill Site Group, and on behalf of my client Proctor & Gamble at Tremont, and with the support of Chemical Waste Management and the other remaining generators who conducted the RI/FS at Tremont, having this money available from the GM bankruptcy to perform actual work at these sites is extremely important, as is the maximum available orphan share credits for both sites. Obviously nothing can fully replace the funding for

these two sites that would have been provided by GM, but without the GM funds, and without maximum orphan share credits, the burden placed on the PRP groups associated with these two sites is very significant.

I am more than happy to discuss further if you would like.

Steve



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